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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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EDWARD WOODS AND TYRONE HILTON, :

Plaintiffs, :

-against- :

FITZCON CONSTRUCTION/REN CORP. ET AL., :

Defendants. x

20-cv-8088 (ALC) (SLC)

**ORDER ADOPTING
REPORT AND
RECOMMENDATION**

ANDREW L. CARTER, JR., District Judge:

On November 16, 2020, this matter was referred to United States Magistrate Judge Sarah L. Cave for general pretrial matters. ECF No. 24. On February 15, 2022, this Court issued an amended Order of Reference, referring Plaintiffs' motion for Default Judgment as to Esco Hirt Co. Inc. and Martin Tevlin. ECF No. 62. The Court now considers the Report and Recommendation issued by Magistrate Judge Cave. ECF No. 74.

Despite notification of the right to object to the Report and Recommendation, no objections were filed. Where no timely objections are made, the Court may adopt the Report and Recommendation as long as there is no clear error on the face of the record. *Sacks v. Gandhi Eng'g, Inc.*, 999 F. Supp. 2d 629, 632 (S.D.N.Y. 2014) (citing *Wilds v. United Parcel Serv.*, 262 F.Supp.2d 163, 169 (S.D.N.Y. 2003)). In light of the lack of any objections to the Report and Recommendation and the fact that Court finds no clear error in the record, the Court adopts the Report and Recommendation in its entirety.

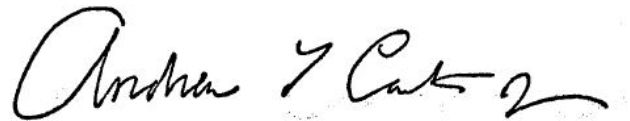
Therefore, a default judgment is entered against Defendants Esco Hirt Co. Inc. and Martin Tevlin for violations of the Fair Labor Standards Act ("FLSA"), 29 U.S.C. § 201 *et seq.*, New York Labor Law ("NYLL"), §§ 190 *et seq.* and 650 *et seq.*, New York State Human Rights Law ("NYSHRL"), N.Y. Exec. Law §§ 296 *et seq.*, New York City Human Rights Law ("NYCHRL"),

N.Y.C. Admin. Code §§ 8-101 *et seq.*, and 42 U.S.C. § 1981 (“Section 1981”). The calculation of damages against Defendants Esco Hirt Co. Inc. and Martin Tevlin is deferred until the case is resolved.

The Clerk of Court is respectfully directed to enter default judgment in favor of Plaintiffs and against Defendants Esco Hirt Co. Inc. and Martin Tevlin. The Clerk of Court is also respectfully directed to terminate the motion at ECF No. 55. Plaintiffs shall serve this order upon Defendants Esco Hirt Co. Inc. and Martin Tevlin and file proof of service by September 7, 2022.

SO ORDERED.

Dated: August 30, 2022
New York, New York

A handwritten signature in black ink, appearing to read "Andrew L. Carter, Jr.", written in a cursive style.

ANDREW L. CARTER, JR.
United States District Judge